



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೬ Volume - 156	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ೨೨, ಫೆಬ್ರವರಿ, ೨೦೨೧ (ಫಾಲ್ಗುಣ, ೦೩, ಶಕವರ್ಷ, ೧೯೪೨) BENGALURU, MONDAY, 22, FEBRUARY, 2021 (Phalguna, 03, SHAKAVARSHA, 1942)	ಸಂಚಿಕೆ ೨೨ Issue 22
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 33 ಕೇಶಾಪು 2020

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.02.2021.

ದಿನಾಂಕ: 22.09.2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE INSTITUTE OF TEACHING AND RESEARCH IN AYURVEDA
ACT, 2020 (NO. 16 OF 2020) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 41] नई दिल्ली, मंगलवार, सितम्बर 22, 2020/ भाद्र 31, 1942 (शक)
No. 41] NEW DELHI, TUESDAY, SEPTEMBER 22, 2020/BHADRA 31, 1942 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 22nd September, 2020/Bhadra 31, 1942 (Saka)

The following Act of Parliament received the assent of the President on the 21st September, 2020 and is hereby published for general information:—

THE INSTITUTE OF TEACHING AND RESEARCH IN AYURVEDA ACT, 2020

No. 16 OF 2020

[21st September, 2020.]

An Act to provide for the establishment of an Institute of Teaching and Research in Ayurveda and to declare it as an Institution of national importance for the promotion of quality and excellence in education, research and training in Ayurveda and allied disciplines and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Institute of Teaching and Research in Ayurveda Act, 2020.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

Declaration of
institute of
Teaching and
Research in
Ayurveda as
an institution
of national
importance.

2. It is hereby declared that the Institute of Teaching and Research in Ayurveda incorporated under this Act shall be an institution of national importance.

Definitions.

3. In this Act, unless the context otherwise requires,—

(a) "Antecedent Institutions" means the Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar, Shree Gulabkunverba Ayurved Mahavidyalaya, Jamnagar and the Indian Institute of Ayurvedic Pharmaceutical Sciences, Jamnagar;

(b) "Department of Swasthvritta" means the Maharishi Patanjali Institute for Yoga Naturopathy Education and Research, Jamnagar, a constituent institute of the Gujarat Ayurveda University, to be established as a Department of the Institute;

(c) "Director" means the Director of the Institute appointed under sub-section (1) of section 11;

(d) "Fund" means the Fund of the Institute maintained under section 15;

(e) "Governing Body" means the body constituted under sub-section (1) of section 10;

(f) "Gujarat Ayurved University" means the University established and incorporated under the Gujarat Ayurved University Act, 1965;

Gujarat Act
40 of 1965.

(g) "Indian Institute of Ayurvedic Pharmaceutical Sciences, Jamnagar" means an institution established by the Gujarat Ayurveda University for conducting Pharmacy courses in Ayurveda and includes the Pharmacy Unit established for preparation of Ayurvedic drugs for use in hospital of the Institute;

(h) "Institute" means the Institute of Teaching and Research in Ayurveda established by conglomerating Antecedent Institutions and incorporated under section 4;

(i) "Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar" means a national institute for postgraduate courses in Ayurveda established and funded by the Government of India, but maintained by the Gujarat Ayurveda University under a lease agreement entered between the Government of India and that University;

(j) "member" means a member of the Institute;

(k) "prescribed" means prescribed by rules made under this Act;

(l) "regulation" means a regulation made by the Institute.

(m) "Shree Gulabkunverba Ayurved Mahavidyalaya, Jamnagar" means a constituent institute of the Gujarat Ayurveda University for conducting undergraduate courses in Ayurveda.

CHAPTER II

THE INSTITUTE

Establishment
and
incorporation
of Antecedent
Institutions as
Institute of
Teaching and
Research in
Ayurveda.

4. (1) The Antecedent Institutions, namely, the Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar, Shree Gulabkunverba Ayurved Mahavidyalaya, Jamnagar and the Indian Institute of Ayurvedic Pharmaceutical Sciences, Jamnagar are hereby conglomerated and established as a body corporate under this Act and on such incorporation be called the Institute of Teaching and Research in Ayurveda.

(2) The Institute shall have perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and may by that name sue or be sued.

5. On and from the commencement of this Act,—

(a) any reference in any law, other than this Act, or in any contract or other instrument to Antecedent Institutions shall be deemed as a reference to the Institute;

(b) all property, movable and immovable, of or belonging to Antecedent Institutions shall vest in the Institute;

(c) all the rights and liabilities of Antecedent Institutions shall be transferred to, and be the rights and liabilities of, the Institute;

(d) every person who is employed in the Antecedent Institutions immediately before such commencement shall, subject to the provisions of this Act, become the employee of the Institute and hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund, and other matters as he would have held the same if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by regulations:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute of compensation equivalent to not less than three months' remuneration in the case of permanent employees and not less than one month's remuneration in the case of other employees;

(e) the Director of the Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar shall be deemed to have been appointed as the Director of the Institute under this Act and shall hold office for a period of five years with effect from such commencement or until he attains the age of sixty-five years, whichever is earlier;

(f) the Directors of Shree Gulabkunverba Ayurved Mahavidyalaya, Jamnagar and the Indian Institute of Ayurvedic Pharmaceutical Sciences, Jamnagar shall be deemed to have been appointed as Deputy Director (Undergraduate) and Deputy Director (Pharmacy), respectively, under this Act and shall hold office for a period of five years with effect from such commencement or until they attain the age of sixty-five years, whichever is earlier;

(g) every person pursuing any academic or research course in Antecedent Institutions before such commencement, shall be deemed to have migrated and registered with the Institute at the same level of course in the Institute;

(h) all suits and other legal proceedings instituted or which could have been instituted by or against Antecedent Institutions, immediately before such commencement, shall be continued or instituted by or against the Institute.

6. (1) The Institute shall consist of the following members, namely:—

(a) the Minister in charge of the Ministry of AYUSH, *ex officio*;

(b) the Secretary to the Government of India in the Ministry of AYUSH, *ex officio*;

(c) the Secretary, Department of Health, Government of Gujarat, *ex officio*;

(d) the Director of the Institute, *ex officio*;

(e) the technical head of Ayurveda, not below the level of Advisor (Ayurveda), Ministry of AYUSH, *ex officio*;

Effect of
incorporation
of Antecedent
Institutions
as Institute of
Teaching and
Research in
Ayurveda.

Composition
of Institute.

(f) the Secretary to the Government of India or his nominee (not below the rank of Joint Secretary) Ministry of Finance, Department of Expenditure, *ex officio*;

(g) the Vice-Chancellor of Gujarat Ayurved University, Jamnagar, *ex officio*;

(h) the Director-General, Central Council for Research in Ayurveda, *ex officio*;

(i) the Secretary to the Government of India or his nominee (not below the rank of Joint Secretary) in the Department of Higher Education, Ministry of Human Resource Development, *ex officio*;

(j) three experts in Ayurveda, having special knowledge and experience in the field of education, industry and research, to be nominated by the Central Government;

(k) three Members of Parliament, of whom two shall be elected from among themselves by the members of the House of the People and one from among themselves by members of the Council of States.

(2) It is hereby declared that the office of member of the Institute shall not disqualify its holder for being chosen as, or for being, a member of either House of Parliament.

Terms of
office of, and
vacancies
among,
members.

7. (1) Save as otherwise provided in this section, the term of office of a member including nominated or elected member of the Institute shall be five years from the date of his nomination or election.

(2) The term of office of a member elected under clause (k) of sub-section (1) of section 6 shall come to an end as soon as he becomes a Minister or Minister of State or Deputy Minister or the Speaker or the Deputy Speaker of the House of the People or the Deputy Chairman of the Council of States or ceases to be a member of the House from which he was elected.

(3) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is a member.

(4) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated or elected.

(5) An outgoing member shall, unless the Central Government otherwise directs, continue in office until another person is nominated or elected as a member in his place.

(6) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office till his resignation is accepted by that Government.

(7) The manner of filling vacancies among members shall be such as may be prescribed.

President of
Institute.

8. (1) There shall be a President of the Institute who shall be nominated by the Central Government from among the members other than the Director of the Institute.

(2) The President shall exercise such powers and discharge such functions as are laid down in this Act or as may be prescribed.

(3) The President and other members shall receive such allowances from the Institute as may be prescribed.

Meetings of
Institute.

9. The Institute shall hold its first meeting at such time and place as may be appointed by the Central Government and shall observe such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by that Government, and thereafter, the Institute shall meet at such times and places and observe such rules of procedure in regard to the transaction of business at its meetings (including quorum) as may be specified by regulations.

Governing
Body and
other
committees of
Institute.

10. (1) There shall be a Governing Body of the Institute which shall be constituted by the Institute in such manner as may be specified by regulations.

(2) The Governing Body shall be the executive committee of the Institute and shall exercise such powers and discharge such functions as the Institute may, by regulations made in this behalf, confer or impose upon it.

(3) The President of the Institute shall be the Chairperson of the Governing Body and as Chairperson thereof shall exercise such powers and discharge such functions as may be specified by regulations.

(4) The procedure to be followed in the exercise of its powers and discharge of its functions by the Governing Body, and the term of office of, and the manner of filling vacancies among, the members of the Governing Body shall be such as may be specified by regulations.

(5) Subject to such control and restrictions as may be prescribed, the Institute may constitute as many standing committees and *ad hoc* committees as it thinks fit for exercising any power or discharging any function of the Institute or for inquiring into, or reporting or advising upon, any matter which the Institute may refer to them, in such manner as may be specified by regulations.

(6) The Chairperson and members of the Governing Body and the Chairperson and the members of a standing committee or an *ad hoc* committee shall receive such allowances, as may be specified by regulations.

11. (1) There shall be a chief executive officer of the Institute who shall be designated as the Director of the Institute and shall, subject to such rules as may be made by the Central Government in this behalf, be appointed by the Institute: Staff of
Institute.

Provided that the Director of the Institute of Post Graduate Teaching and Research in Ayurveda, Jamnagar shall be deemed to have been appointed as the first Director of the Institute.

(2) The Director shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(3) The Director shall exercise such powers and discharge such functions as may be specified by regulations or as may be delegated to him by the Institute or the President of the Institute or the Governing Body or the Chairperson of the Governing Body.

(4) Subject to such rules as may be made by the Central Government in this behalf, the Institute may appoint Deputy Director (Undergraduate), Deputy Director (Postgraduate) and Deputy Director (Pharmacy) and such number of other officers and employees as may be necessary for the exercise of its powers and discharge of its functions and the designations and grades of other officers and employees shall be such as may be specified by regulations:

Provided that the Director of Shree Gulabkunverba Ayurved Mahavidyalaya, Jamnagar shall be deemed to have been appointed as the first Deputy Director (Undergraduate) of the Institute:

Provided further that the Director of the Indian Institute of Ayurvedic Pharmaceutical Sciences, Jamnagar shall be deemed to have been appointed as the first Deputy Director (Pharmacy) under this Act.

(5) The Director, Deputy Director (Undergraduate), Deputy Director (Postgraduate) and Deputy Director (Pharmacy) and other officers and employees of the Institute shall be entitled to such salary and allowances and shall be governed by such conditions of service in respect of leave, pension, provident fund and other matters as may be specified by regulations.

12. The objects of the Institute shall be—

Objects of
Institute.

(a) to develop patterns of teaching in undergraduate and postgraduate medical education in Ayurveda and Pharmacy so as to demonstrate a high standard of such medical education to all medical colleges and other allied institutions of Ayurveda in India;

(b) to bring together in one place educational facilities of the highest order for the training of personnel in all important branches of Ayurveda including Pharmacy;

Functions of
Institute.

(c) to attain self-sufficiency in postgraduate education to meet the country's needs for specialists and medical teachers in Ayurveda;

(d) to make an in-depth study and research in the field of Ayurveda.

13. With a view to the promotion of the objects specified in section 12, the Institute may—

(a) provide for undergraduate and postgraduate teaching in Ayurveda, including Pharmacy;

(b) provide facilities for research in the various branches of Ayurveda including Pharmacy;

(c) prescribe courses and curricula for both undergraduate and postgraduate studies in Ayurveda including Pharmacy;

(d) notwithstanding anything contained in any other law for the time being in force, establish and maintain—

(i) one or more Ayurveda medical colleges with different Departments including department of Swasthivrita and such other departments as may be deemed to be necessary for scientific validation of Ayurveda, implementing Ayurveda principles and theories in public health and further expansion of Ashtanga Ayurveda with the help of modern scientific advances sufficiently staffed and equipped to undertake undergraduate and postgraduate Ayurveda education including Pharmacy;

(ii) one or more well-equipped hospitals;

(iii) colleges for Ayurveda supporting staffs such as nurses, Pharmacists, Panchakarma technicians or therapists and such other allied disciplines of Ayurveda sufficiently staffed and equipped for training such students;

(iv) rural and urban health organisations which will form centres for the field training in Ayurveda and for research into community health problems; and

(v) other institutions for the training of different types of health workers, such as physiotherapists, occupational therapists and Ayurvedic medical technicians of various kinds;

(e) train teachers for the different Ayurveda colleges in India;

(f) hold examinations (including for admissions) and grant degrees, diplomas and other academic distinctions and titles in undergraduate and postgraduate education in Ayurveda and Pharmacy as may be laid down in the regulations;

(g) institute, and appoint persons to professorships, readerships, lectureships and posts of any description in accordance with regulations;

(h) receive grants from the Government and gifts, donations, benefactions, bequests and transfers of properties, both movable and immovable, from donors, benefactors, testators or transferors, as the case may be;

(i) deal with any property belonging to, or vested in, the Institute in any manner which is considered necessary for promoting the objects specified in section 12;

(j) demand and receive such fees and other charges as may be specified by regulations;

(k) construct quarters for its staff and allot such quarters to the staff in accordance with such regulations as may be made in this behalf;

(l) establish, maintain and manage halls and hostels for the residence of students;

(m) supervise and control the residence and regulate the discipline of students of the Institute and to make arrangements for promoting their health, general welfare and cultural and corporate life;

(n) institute and award fellowships, scholarships, exhibitions, prizes and medals;

(o) borrow money, with the prior approval of the Central Government, on the security of the property of the Institute;

(p) to perform all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Institute.

14. The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as may be considered necessary for the exercise of its powers and discharge of its functions under this Act. Payment to Institute.

15. (1) The Institute shall maintain a Fund to which shall be credited— Fund of Institute.

(a) all moneys provided by the Central Government;

(b) all fees and other charges received by the Institute;

(c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund shall be utilised towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its duties under section 13.

16. The Institute shall prepare in such form and at such time every year a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Institute and shall forward to the Central Government such number of copies thereof as may be prescribed. Budget of Institute.

17. (1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet, in such form as the Central Government may prescribe by rules, and in accordance with such general directions as may be issued by that Government, in consultation with the Comptroller and Auditor-General of India. Accounts and audit.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both the Houses of Parliament.

18. The Institute shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed and a copy of this report shall be laid before both Houses of Parliament within one month of its receipt. Annual report.

Pension and provident funds.

19. (1) The Institute shall constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions as may be specified by regulations, such pension and provident funds as it may deem fit:

Provided that the pension and provident fund constituted by the Antecedent Institutions before the commencement of this Act shall be deemed to be the pension and provident fund under this section.

(2) Where any such provident fund has been constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

19 of 1925.

Authentication of orders and instruments of Institute.

20. All orders and decisions of the Institute shall be authenticated by the Director or any other member authorised by the Institute in this behalf and all other instruments shall be authenticated by the signature of the Director or such other officers as may be authorised by the Institute.

Acts and proceedings not to be invalidated by vacancies, etc.

21. No act done or proceeding taken by the Institute, Governing Body or any standing or *ad hoc* committee under this Act shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of the Institute, Governing Body or such standing or *ad hoc* committee.

Grant of degrees, diplomas, etc., by Institute.

22. Notwithstanding anything contained in any other law for the time being in force, the Institute shall have power to grant medical degrees, diplomas and other academic distinctions and titles under this Act.

Recognition of medical qualifications granted by Institute.

23. Notwithstanding anything contained in the Indian Medicine Central Council Act, 1970 and the University Grants Commission Act, 1956, the medical degrees or diplomas granted by the Institute under this Act shall be recognised medical qualifications for the purposes of the Acts aforesaid and shall be deemed to be included in the Schedule to the respective Acts.

49 of 1970.
3 of 1956.

Control by Central Government.

24. The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

Resolution of differences.

25. If in, or in connection with, the exercise of its powers and discharge of its functions by the Institute under this Act, any dispute or difference arises between the Institute and the Central Government, the decision of the Central Government thereon shall be final.

Returns and information.

26. The Institute shall furnish to the Central Government such reports, returns and other information as that Government may require from time to time.

Power to make rules.

27. (1) The Central Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the manner of filling vacancies among members of the Institute under sub-section (7) of section 7;

(b) the powers and functions to be exercised and discharged by the President of the Institute under sub-section (2) of section 8;

(c) the allowances, if any, to be paid to the President and members of the Institute under sub-section (3) of section 8;

(d) the control and restrictions in relation to the constitution of standing committees and *ad hoc* committees under sub-section (5) of section 10;

(e) the form in which and the time at which the budget showing the estimated receipts and expenditure of the Institute shall be prepared by the Institute and the numbers of copies thereof to be forwarded to the Central Government under section 16;

(f) the form in which annual report shall be prepared and the date before which such report shall be submitted to the Central Government under section 18;

(g) any other matter which has to be or may be prescribed.

28. (1) The Institute, with the previous approval of the Central Government may, by notification in the Official Gazette, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act, and without prejudice to the generality of this power, such regulations may provide for:—

Power to
make
regulations.

(a) the summoning and holding of meetings other than the first meeting of the Institute, the time and place where such meetings are to be held, the conduct of business at such meetings and the number of members necessary to form a quorum under section 9;

(b) the manner of constituting the Governing Body under sub-section (1) of section 10;

(c) the powers and functions to be exercised and discharged by the Governing Body under sub-section (2) of section 10;

(d) the powers and functions to be exercised and discharged by the President of the Institute under sub-section (3) of section 10;

(e) the procedure to be followed by the Governing Body, the term of office of, and the manner of filling vacancies among, the members of the Governing Body under sub-section (4) of section 10;

(f) the manner of constituting standing committees and *ad hoc* committees under sub-section (5) of section 10;

(g) the allowances, if any, to be paid to the Chairperson and the members of the Governing Body and of standing committee and *ad hoc* committee under sub-section (6) of section 10;

(h) the powers and functions to be exercised and discharged by the Director of the Institute under sub-section (3) of section 11;

(i) the designations and grades of other officers and employees under sub-section (4) of section 11;

(j) the salaries and allowances and other conditions of services of the Director, Deputy Director (Undergraduate), Deputy Director (Postgraduate) and Deputy Director (Pharmacy) and other officers and employees of the Institute under sub-section (5) of section 11;

(k) the examinations which may be held and the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute under clause (f) of section 13;

(l) the professorships, readerships, lectureships and other posts which may be instituted and persons who may be appointed to such professorships, readerships, lectureships and other posts under clause (g) of section 13;

(m) the fees and other charges which may be demanded and received by the Institute under clause (j) of section 13;

(n) the construction of quarters for the staff and allotment of such quarters under clause (k) of section 13;

(o) the manner in which, and the conditions subject to which, pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute under sub-section (1) of section 19;

(p) any other matter for which provisions under this Act may be made by regulations.

(2) Until the Institute is established under this Act, any regulation which may be made under sub-section (1) may be made by the Central Government; and any regulation so made may be altered or rescinded by the Institute in exercise of its powers under sub-section (1).

Rules and regulations to be laid before Parliament.

29. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Power to remove difficulties.

30. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the purposes of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Transitional provisions.

31. Notwithstanding anything contained in this Act,—

(a) the Board of Governors or any other governing system of the Antecedent Institutions functioning as such immediately before the commencement of this Act shall continue to so function until a Governing Body is constituted for the Institute under this Act, but on the constitution of a new Governing Body under this Act, the members of the Board holding office before such constitution shall, unless otherwise provided in this Act, cease to hold office;

(b) the committees constituted in relation to the Antecedent Institutions before the commencement of this Act shall be deemed to be constituted under this Act until new committees are constituted for the Institute.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-39

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಶಾಇ 34 ಕೇಶಾಪು 2020

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.02.2021.

ದಿನಾಂಕ: 23.09.2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE INSOLVENCY AND BANKRUPTCY CODE (SECOND
AMENDMENT) ACT, 2020 (NO. 17 OF 2020) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-23092020-221917
CG-DL-E-23092020-221917

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 42] नई दिल्ली, बुधवार, सितम्बर 23, 2020/आश्विन 1, 1942 (शक)

No. 42] NEW DELHI, WEDNESDAY, SEPTEMBER 23, 2020/ASVINA 1, 1942 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd September, 2020/Asvina 1, 1942 (Saka)

The following Act of Parliament received the assent of the President on the 23rd September, 2020 and is hereby published for general information:—

THE INSOLVENCY AND BANKRUPTCY CODE (SECOND AMENDMENT) ACT, 2020

No. 17 OF 2020

[23rd September, 2020.]

An Act further to amend the Insolvency and Bankruptcy Code, 2016.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Insolvency and Bankruptcy Code (Second Amendment) Act, 2020.

Short title and commencement.

(2) It shall be deemed to have come into force on the 5th day of June, 2020.

31 of 2016.

2. After section 10 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

Insertion of new section 10A.

"10A. Notwithstanding anything contained in sections 7, 9 and 10, no application for initiation of corporate insolvency resolution process of a corporate debtor shall be filed, for any default arising on or after 25th March, 2020 for a period of six months or such further period, not exceeding one year from such date, as may be notified in this behalf:

Suspension of initiation of corporate insolvency resolution process.

Provided that no application shall ever be filed for initiation of corporate insolvency resolution process of a corporate debtor for the said default occurring during the said period.

Explanation.—For the removal of doubts, it is hereby clarified that the provisions of this section shall not apply to any default committed under the said sections before 25th March, 2020."

Amendment of
section 66.

3. In section 66 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) Notwithstanding anything contained in this section, no application shall be filed by a resolution professional under sub-section (2), in respect of such default against which initiation of corporate insolvency resolution process is suspended as per section 10A."

Repeal and
savings.

4. (1) The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2020 is hereby repealed. Ord. 9 of 2020.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-40

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 35 ಕೇಶಾಪ್ರ 2020

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.02.2021.

ದಿನಾಂಕ: 24.09.2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE SALARIES AND ALLOWANCES OF MINISTERS
(AMENDMENT) ACT, 2020 (NO.18 OF 2020) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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सी.जी.-डी.एल.-अ.-24092020-221938
CG-DL-E-24092020-221938

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 43] नई दिल्ली, बृहस्पतिवार, सितम्बर 24, 2020/ आश्विन 2, 1942 (शक)
No. 43] NEW DELHI, THURSDAY, SEPTEMBER 24, 2020/ASVINA 2, 1942 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 24th September, 2020/Asvina 2, 1942 (Saka)

The following Act of Parliament received the assent of the President on the 23rd September, 2020 and is hereby published for general information:—

THE SALARIES AND ALLOWANCES OF MINISTERS (AMENDMENT) ACT, 2020

No. 18 OF 2020

[23rd September, 2020.]

An Act further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 2020.

Short title and commencement.

(2) It shall be deemed to have come into force on the 9th April, 2020.

58 of 1952.

2. In the Salaries and Allowances of Ministers Act, 1952, section 5 shall be numbered as sub-section (1) thereof, and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

Amendment of section 5.

"(2) Notwithstanding anything contained in sub-section (1), the sumptuary allowance payable to each Minister under that sub-section shall be reduced by

thirty per cent. for a period of one year commencing from the 1st April, 2020, to meet the exigencies arising out of Corona Virus (COVID-19) pandemic."

Repeal and
savings.

3. (1) The Salaries and Allowances of Ministers (Amendment) Ordinance, 2020 is hereby repealed. Ord. 4 of 2020.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-41

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 36 ಕೇಶಾಪು 2020 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.02.2021.

ದಿನಾಂಕ: 25.09.2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE SALARY, ALLOWANCES AND PENSION OF
MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 2020 (NO. 19 OF 2020)
ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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सी.जी.-डी.एल.-अ.-25092020-221990

CG-DL-E-25092020-221990

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 44] नई दिल्ली, शुक्रवार, सितम्बर 25, 2020/ आश्विन 3, 1942 (शक)
No. 44] NEW DELHI, FRIDAY, SEPTEMBER 25, 2020/ASVINA 3, 1942 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 25th September, 2020/Asvina 3, 1942 (Saka)

The following Act of Parliament received the assent of the President on the 24th September, 2020 and is hereby published for general information:—

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 2020

No. 19 OF 2020

[24th September, 2020]

An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2020.

Short title and
commencement.

(2) It shall be deemed to have come into force on the 7th day of April, 2020.

30 of 1954.

2. In the Salary, Allowances and Pension of Members of Parliament Act, 1954, in section 3, after sub-section (1), the following sub-section shall be inserted, namely:—

Amendment
of section 3.

"(1A) Notwithstanding anything contained in sub-section (1), the salary payable to Members of Parliament under sub-section (1) shall be reduced by thirty per cent. for a period of one year commencing from the 1st April, 2020, to meet the exigencies arising out of Corona Virus (COVID-19) pandemic."

Repeal and
savings.

3. (1) The Salary, Allowances and Pension of Members of Parliament (Amendment) Ordinance, 2020 is hereby repealed.

Ord. 3 of 2020.

(2) Notwithstanding such repeal, anything done or any action taken under the Salary, Allowances and Pension of Members of Parliament Act, 1954, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act as amended by this Act.

30 of 1954.

The above Bill has been passed by the Houses of Parliament.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-42

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಶಾ 37 ಕೇಶಾಪು 2020

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:20.02.2021.

ದಿನಾಂಕ: 27.09.2020 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-1ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE FARMERS (EMPOWERMENT AND PROTECTION)
AGREEMENT ON PRICE ASSURANCE AND FARM SERVICES ACT, 2020 (NO. 20 OF 2020)
ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



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सी.जी.-डी.एल.-अ.-27092020-222040
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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 45] नई दिल्ली, रविवार, सितम्बर 27, 2020/आश्विन 5, 1942 (शक)
No. 45] NEW DELHI, SUNDAY, SEPTEMBER 27, 2020/ASVINA 5, 1942 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 27th September, 2020/Asvina 5, 1942 (Saka)

The following Act of Parliament received the assent of the President on the 24th September, 2020 and is hereby published for general information:—

THE FARMERS (EMPOWERMENT AND PROTECTION) AGREEMENT ON PRICE ASSURANCE AND FARM SERVICES ACT, 2020 No. 20 OF 2020

[24th September, 2020.]

An Act to provide for a national framework on farming agreements that protects and empowers farmers to engage with agri-business firms, processors, wholesalers, exporters or large retailers for farm services and sale of future farming produce at a mutually agreed remunerative price framework in a fair and transparent manner and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020.

(2) It shall be deemed to have come into force on the 5th June, 2020.

Short title
and
commencement.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "APMC yard" means the physical premises covering Agriculture Produce Market Committee Yard, by whatever name called, established for regulating markets and trade in farming produce under any State Act;

(b) "company" means a company as defined in clause (20) of section 2 of the Companies Act, 2013;

18 of 2013.

(c) "electronic trading and transaction platform" means a platform set up to facilitate direct and online buying and selling for conduct of trade and commerce of farming produce through a network of electronic devices and internet applications;

(d) "farm services" includes supply of seed, feed, fodder, agro-chemicals, machinery and technology, advice, non-chemical agro-inputs and such other inputs for farming;

(e) "farmer" means an individual engaged in the production of farming produce by self or by hired labour or otherwise, and includes the Farmer Producer Organisation;

(f) "Farmer Producer Organisation" means an association or group of farmers, by whatever name called,—

(i) registered under any law for the time being in force; or

(ii) promoted under a scheme or programme sponsored by the Central Government or the State Government;

(g) "farming agreement" means a written agreement entered into between a farmer and a Sponsor, or a farmer, a Sponsor and any third party, prior to the production or rearing of any farming produce of a predetermined quality, in which the Sponsor agrees to purchase such farming produce from the farmer and to provide farm services.

Explanation.—For the purposes of this clause, the term "farming agreement" may include—

(i) "trade and commerce agreement", where the ownership of commodity remains with the farmer during production and he gets the price of produce on its delivery as per the agreed terms with the Sponsor;

(ii) "production agreement", where the Sponsor agrees to provide farm services, either fully or partially and to bear the risk of output, but agrees to make payment to the farmer for the services rendered by such farmer; and

(iii) such other agreements or a combination of agreements specified above;

(h) "farming produce" includes—

(i) foodstuffs, including edible oilseeds and oils, all kinds of cereals like wheat, rice or other coarse grains, pulses, vegetables, fruits, nuts, spices, sugarcane and products of poultry, piggery, goatery, fishery and dairy, intended for human consumption in its natural or processed form;

(ii) cattle fodder, including oilcakes and other concentrates;

(iii) raw cotton, whether ginned or unginned;

(iv) cotton seeds and raw jute;

(i) "firm" means a firm as defined in section 4 of the Indian Partnership Act, 1932; 9 of 1932.

(j) "force majeure" means any unforeseen external event, including flood, drought, bad weather, earthquake, epidemic outbreak of disease, insect-pests and such other events, which is unavoidable and beyond the control of parties entering into a farming agreement;

(k) "notification" means a notification published by the Central Government or the State Government, as the case may be, in the Official Gazette and the expression "notified" shall be construed accordingly;

(l) "person" includes—

(i) an individual;

(ii) a partnership firm;

(iii) a company;

(iv) a limited liability partnership;

(v) a co-operative society;

(vi) a society; or

(vii) any association or body of persons duly incorporated or recognised as a group under any ongoing programmes of the Central Government or the State Government;

(m) "prescribed" means prescribed by rules made under this Act;

(n) "Registration Authority" means an authority notified as such by the State Government under section 12;

(o) "Sponsor" means a person who has entered into a farming agreement with the farmer to purchase a farming produce;

(p) "State" includes Union territory.

CHAPTER II

FARMING AGREEMENT

3. (1) A farmer may enter into a written farming agreement in respect of any farming produce and such agreement may provide for—

Farming agreement and its period.

(a) the terms and conditions for supply of such produce, including the time of supply, quality, grade, standards, price and such other matters; and

(b) the terms related to supply of farm services:

Provided that the responsibility for compliance of any legal requirement for providing such farm services shall be with the Sponsor or the farm service provider, as the case may be.

(2) No farming agreement shall be entered into by a farmer under this section in derogation of any rights of a share cropper.

Explanation.—For the purposes of this sub-section, the term "share cropper" means a tiller or occupier of a farm land who formally or informally agrees to give fixed share of crop or to pay fixed amount to the land owner for growing or rearing of farming produce.

(3) The minimum period of the farming agreement shall be for one crop season or one production cycle of livestock, as the case may be, and the maximum period shall be five years:

Provided that where the production cycle of any farming produce is longer and may go beyond five years, in such case, the maximum period of farming agreement may be mutually decided by the farmer and the Sponsor and explicitly mentioned in the farming agreement.

(4) For the purposes of facilitating farmers to enter into written farming agreements, the Central Government may issue necessary guidelines along with model farming agreements, in such manner, as it deems fit.

Quality, grade and standards of farming produce.

4. (1) The parties entering into a farming agreement may identify and require as a condition for the performance of such agreement compliance with mutually acceptable quality, grade and standards of a farming produce.

(2) For the purposes of sub-section (1), the parties may adopt the quality, grade and standards—

(a) which are compatible with agronomic practices, agro-climate and such other factors; or

(b) formulated by any agency of the Central Government or the State Government, or any agency authorised by such Government for this purpose,

and explicitly mention such quality, grade and standards in the farming agreement.

(3) The quality, grade and standards for pesticide residue, food safety standards, good farming practices and labour and social development standards may also be adopted in the farming agreement.

(4) The parties entering into a farming agreement may require as a condition that such mutually acceptable quality, grade and standards shall be monitored and certified during the process of cultivation or rearing, or at the time of delivery, by third party qualified assayers to ensure impartiality and fairness.

Pricing of farming produce.

5. The price to be paid for the purchase of a farming produce may be determined and mentioned in the farming agreement itself, and in case, such price is subject to variation, then, such agreement shall explicitly provide for—

(a) a guaranteed price to be paid for such produce;

(b) a clear price reference for any additional amount over and above the guaranteed price, including bonus or premium, to ensure best value to the farmer and such price reference may be linked to the prevailing prices in specified APMC yard or electronic trading and transaction platform or any other suitable benchmark prices:

Provided that the method of determining such price or guaranteed price or additional amount shall be annexed to the farming agreement.

Sale or purchase of farming produce.

6. (1) Where, under a farming agreement, the delivery of any farming produce is to be—

(a) taken by the Sponsor at the farm gate, he shall take such delivery within the agreed time;

(b) effected by the farmer, it shall be the responsibility of the Sponsor to ensure that all preparations for the timely acceptance of such delivery have been made.

(2) The Sponsor may, before accepting the delivery of any farming produce, inspect the quality or any other feature of such produce as specified in the farming agreement, otherwise, he shall be deemed to have inspected the produce and shall have no right to retract from acceptance of such produce at the time of its delivery or thereafter.

(3) The Sponsor shall,—

(a) where the farming agreement relates to seed production, make payment of not less than two-third of agreed amount at the time of delivery and the remaining amount after due certification, but not later than thirty days of delivery;

(b) in other cases, make payment of agreed amount at the time of accepting the delivery of farming produce and issue a receipt slip with details of the sale proceeds.

(4) The State Government may prescribe the mode and manner in which payment shall be made to the farmer under sub-section (3).

7. (1) Where a farming agreement has been entered into in respect of any farming produce under this Act, such produce shall be exempt from the application of any State Act, by whatever name called, established for the purpose of regulation of sale and purchase of such farming produce.

Exemptions with respect to farming produce.

10 of 1955.

(2) Notwithstanding anything contained in the Essential Commodities Act, 1955 or in any control order issued thereunder or in any other law for the time being in force, any obligation related to stock limit shall not be applicable to such quantities of farming produce as are purchased under a farming agreement entered into in accordance with the provisions of this Act.

8. No farming agreement shall be entered into for the purpose of—

(a) any transfer, including sale, lease and mortgage of the land or premises of the farmer; or

(b) raising any permanent structure or making any modification on the land or premises of the farmer, unless the Sponsor agrees to remove such structure or to restore the land to its original condition, at his cost, on the conclusion of the agreement or expiry of the agreement period, as the case may be:

Sponsor prohibited from acquiring ownership rights or making permanent modifications on farmer's land or premises.

Provided that where such structure is not removed as agreed by the Sponsor, the ownership of such structure shall vest with the farmer after conclusion of the agreement or expiry of the agreement period, as the case may be.

9. A farming agreement may be linked with insurance or credit instrument under any scheme of the Central Government or the State Government or any financial service provider to ensure risk mitigation and flow of credit to farmer or Sponsor or both.

Linkage of farming agreement with insurance or credit.

10. Save as otherwise provided in this Act, an aggregator or farm service provider may become a party to the farming agreement and in such case, the role and services of such aggregator or farm service provider shall be explicitly mentioned in such farming agreement.

Other parties to farming agreement.

Explanation.—For the purposes of this section,—

(i) "aggregator" means any person, including a Farmer Producer Organisation, who acts as an intermediary between a farmer or a group of farmers and a Sponsor and provides aggregation related services to both farmers and Sponsor;

(ii) "farm service provider" means any person who provides farm services.

11. At any time after entering into a farming agreement, the parties to such agreement may, with mutual consent, alter or terminate such agreement for any reasonable cause.

Alteration or termination of farming agreement.

12. (1) A State Government may notify a Registration Authority to provide for electronic registry for that State that provides facilitative framework for registration of farming agreements.

Establishment of Registration Authority.

(2) The constitution, composition, powers and functions of the Registration Authority and the procedure for registration shall be such as may be prescribed by the State Government.

CHAPTER III

DISPUTE SETTLEMENT

13. (1) Every farming agreement shall explicitly provide for a conciliation process and formation of a conciliation board consisting of representatives of parties to the agreement:

Conciliation board for dispute settlement.

Provided that representation of parties in such conciliation board shall be fair and balanced.

(2) A dispute arising from any farming agreement shall be first referred to the conciliation board formed as per the provisions of the farming agreement and every endeavour shall be made by such board to bring about settlement of such dispute.

(3) Where, in respect of any dispute, a settlement is arrived during the course of conciliation proceeding, a memorandum of settlement shall be drawn accordingly and signed by the parties to such dispute and such settlement shall be binding on the parties.

Mechanism
for dispute
resolution.

14. (1) Where, the farming agreement does not provide for conciliation process as required under sub-section (1) of section 13, or the parties to the farming agreement fail to settle their dispute under that section within a period of thirty days, then, any such party may approach the concerned Sub-Divisional Magistrate who shall be the Sub-Divisional Authority for deciding the disputes under farming agreements.

(2) On receipt of a dispute under sub-section (1), the Sub-Divisional Authority may, if—

(a) the farming agreement did not provide for conciliation process, constitute a conciliation board for bringing about settlement of such dispute; or

(b) the parties failed to settle their dispute through conciliation process, decide the dispute in a summary manner within thirty days from the date of receipt of such dispute, after giving the parties a reasonable opportunity of being heard and pass an order for recovery of the amount under dispute, with such penalty and interest, as it deems fit, subject to the following conditions, namely:—

(i) where the Sponsor fails to make payment of the amount due to the farmer, such penalty may extend to one and half times the amount due;

(ii) where the order is against the farmer for recovery of the amount due to the Sponsor on account of any advance payment or cost of inputs, as per terms of farming agreement, such amount shall not exceed the actual cost incurred by the Sponsor;

(iii) where the farming agreement in dispute is in contravention of the provisions of this Act, or default by the farmer is due to force majeure, then, no order for recovery of amount shall be passed against the farmer.

(3) Every order passed by the Sub-Divisional Authority under this section shall have same force as a decree of a civil court and be enforceable in the same manner as that of a decree under the Code of Civil Procedure, 1908, unless an appeal is preferred under sub-section (4). 5 of 1908.

(4) Any party aggrieved by the order of the Sub-Divisional Authority may prefer an appeal to the Appellate Authority, which shall be presided over by the Collector or Additional Collector nominated by the Collector, within thirty days from the date of such order.

(5) The Appellate Authority shall dispose of the appeal within thirty days.

(6) Every order passed by the Appellant Authority under this section shall have same force as a decree of a civil court and be enforceable in the same manner as that of a decree under the Code of Civil Procedure, 1908. 5 of 1908.

(7) The amount payable under any order passed by the Sub-Divisional Authority or the Appellant Authority, as the case may be, may be recovered as arrears of land revenue.

(8) The Sub-Divisional Authority or the Appellate Authority shall, while deciding disputes under this section, have all the powers of a civil court for the purposes of taking evidence on oath, enforcing the attendance of witnesses, compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed by the Central Government.

(9) The manner and procedure for filing a petition or an application before the Sub-Divisional Authority and an appeal before the Appellate Authority shall be such as may be prescribed by the Central Government.

15. Notwithstanding anything contained in section 14, no action for recovery of any amount due in pursuance of an order passed under that section, shall be initiated against the agricultural land of the farmer.

No action for recovery of dues against farmer's land.

CHAPTER IV

MISCELLANEOUS

16. The Central Government may, from time to time, give such directions, as it may consider necessary, to the State Governments for effective implementation of the provisions of this Act and the State Governments shall comply with such directions.

Power of Central Government to give directions.

17. All authorities, including Registration Authority, Sub-Divisional Authority and Appellate Authority, constituted or prescribed under this Act, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Authorities under Act to be public servants.

45 of 1860.

18. No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Government, the Registration Authority, the Sub-Divisional Authority, the Appellate Authority or any other person for anything which is in good faith done or intended to be done under the provisions of this Act or any rule made thereunder.

Protection of action taken in good faith.

19. No civil Court shall have jurisdiction to entertain any suit or proceedings in respect of any dispute which a Sub-Divisional Authority or the Appellate Authority is empowered by or under this Act to decide and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act or any rules made thereunder.

Bar of jurisdiction of civil court.

20. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any State law for the time being in force or in any instrument having effect by virtue of any such law other than this Act:

Act to have an overriding effect.

Provided that a farming agreement or such contract entered into under any State law for the time being in force, or any rules made thereunder, before the date of coming into force of this Act, shall continue to be valid for the period of such agreement or contract.

21. Nothing contained in this Act shall be applicable to the stock exchanges and clearing corporations recognised under the Securities Contracts (Regulation) Act, 1956 and the transactions undertaken therein.

Act not to apply to stock exchanges and clearing corporations.

42 of 1956.

22. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

Power of Central Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) other purposes for which the Sub-Divisional Authority or the Appellate Authority shall have the powers of civil court under sub-section (8) of section 14;

(b) the manner and procedure for filing petition or application before the Sub-Divisional Authority, and an appeal before the Appellate Authority, under sub-section (9) of section 14;

(c) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules, by the Central Government.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total

period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power of State Government to make rules.

23. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the mode and manner of payment to the farmer under sub-section (4) of section 6;

(b) the constitution, composition, powers and functions of the Registration Authority, and the procedure for registration under sub-section (2) of section 12;

(c) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules, by the State Government.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

Power to remove difficulties.

24. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and savings.

25. (1) The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020 is hereby repealed.

Ord. 11 of 2020.

(2) Notwithstanding such repeal, anything done or any action taken under the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020 shall be deemed to have been done or taken under the corresponding provisions of this Act.

Ord. 11 of 2020.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಆರ್. ಶ್ರೀನಿವಾಸ)
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
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